



State Department of Education's Response to Negotiated Rulemaking on STANDARDS FOR IDAHO SCHOOL BUSES AND OPERATORS

Docket No. 08-0202-1605

Negotiated rulemaking was conducted on the revisions to the Standards for Idaho School Buses and Operators, Incorporated by Reference Document. In compliance with Section 67-5220, Idaho Code, notice was published in the Administrative Bulletin. In addition, notice was distributed through a press release and on the State Department of Education's (SDE) website. Stakeholders were informed by email of the intention of the department to promulgate rule on this topic and a copy of the draft was attached. A draft of the rule, public comment forms, and links to an online survey were available through our website. No meeting was requested and one public comment was received.

Formal Public Comment Received:

I am a full time technician in charge employed by a private bus contractor here in Idaho. I have over 7 years of experience involving the operation and standards of school buses. I have reviewed the proposed changes that would be made by this rule and would like to comment as follows.

- 1. Idaho School Bus Standards in the electrical section under alternator the proposed change would require a mandatory minimum amperage output requirement. This should be left as an option not a requirement. The decision should be left to the vehicle manufacture or a recommendation by the selling dealer to decide this specification. This would require marking system on an individual component on the bus so if the part would need to be marked to identify the specifications. Most alternators are not marked for amperage rating or even output ratings. Alternator has changed in recent years with the introduction of new technologies that allow you to replace an older technology with a new alternator that will provide a more efficient current output. The cost also needs to be considered a new 200 amp to 240 amp alternator is two to three times the price of a 160 amp alternator. Last but not least most school buses that I have tested only require 60 to 120 amps of output to supply current to every electrical component on a bus including a bus equipped with a Wheel Chair lift.*

SDE's Response:

Every five years the National Congress on School Transportation (NCST) convenes to propose changes to standards for the construction of school buses as well as operational standards and procedures. Idaho has historically played an integral part of this Congress. During the 16th NCST, Idaho sent a team of delegates comprised of

district transportation supervisors, contractors, steering committee members, mechanics, and Idaho Department of Education staff to participate in this conference.

At this time, a collaboration of school bus manufacturers requested a specification change in the standards for alternators. Representatives in attendance included, Ron Briggler IC Bus Application Engineer, Rickey Stanley Thomas Built Buses Senior Designer 1, and Tony Woodard Blue Bird Corporation Specification Coordinator. Oversizing the system would provide the following benefits: (1) a higher reserve capacity for peak demands; (2) the ability to maintain an overall higher battery state-of-charge; (3) a higher electrical efficiency operation resulting in a lower cost of operation; and, (4) a cooler running temperature and under less load, leading to longer life, higher reliability, and reduced service costs. With new program release related to start/stop technologies, the vehicle will be required to have a higher number of starts per day. Oversizing the system will allow for better battery management which should create fewer jump start conditions. Remote Sense/Voltage Regulation improves battery state of charge thereby improving battery life as well as reduces time to recharge vehicle batteries. The manufacturers' request was approved by the delegates in attendance.

As suggested by the commenter, the decision to make these changes was made by the manufacturers and cost was considered. Based on this, no changes were made by the department to the standards.

2. *This item covers the section withdraw from service section and the transportation staff. The director of Student Transportation and his staff of specialists need to provide better communication regarding any changes to school bus standards or any changes that may affect current school bus operations. There is no use going thru the rule making process to make changes and you find out when the specialist shows up for a spot inspection and something was changed and no one knew about it because they don't put out the information. Then to top it off they take your bus out of service because you are not compliant with the change that was never put out in the first place.*

SDE's Response:

These comments are based more about the dissemination of material not about the language of the rule. The SDE strives to share updated information with stakeholders as timely and effectively as possible. In regard to changes in the Standards for Idaho School Buses and Operations, notices are always published in the Administrative Bulletin as well as on our website. We also contact as many stakeholders as possible to solicit comments and suggestions.

As directed in the current Standards for Idaho School Buses and Operations, "The SDE staff shall develop, maintain and periodically distribute out-of-service criteria (a matrix), the basis of which shall be the latest published document from the most recent National Conference on School Transportation (NCST). The Out-of-Service Matrix shall be subsequent to input from the Student Transportation Steering Committee, as needed.

These standards are intended to ensure that all Idaho school buses are maintained in a safe manner.”

Further, stakeholders have been involved and have had access to the information throughout the process. For example, the mirrored Commercial Vehicle Safety Administration Out-Of-Service criteria to help ensure safe and reliable transportation of the school bus was voted on and approved by State Delegates from across the United States attending the 16th NCST. The Idaho State Department of Education Congressional Delegation brought back this information which was presented to the Steering Committee at their October 2015 meeting for adoption consideration for Idaho. The Steering Committee disseminated the information to all of the state regions and, at their March 2016 meeting, voted for Idaho to adopt the out-of-service criteria.

SDE Student Transportation has the out-of-service criteria posted on their webpage and it is also available by contacting the office or any regional specialist. The SDE is always looking for way to improve communication and would welcome other suggestions on how to outreach to stakeholders.

3. *My final topic includes every section of the proposed changes. I understand that every few years due to changes in federal standards for school buses change and the state has to make changes to update state laws to be in compliance. But after reading the entire proposed rule changes there has to be a limitation on mandatory changes due to changes in federal Regulations and unnecessary changes made that will burden the school bus transportation program with over regulation and causing a financial Hardship on school Bus operations and maintenance in the State of Idaho.*

SDE’s Response:

Recommendations of manufacturers and constituents throughout the United States attending the National Congress are to ensure that buses are safe and costs are controlled as follows:

“The cost of pupil transportation may be considered as an addition to the ordinary cost of a satisfactory school program and in that sense it can be considered as a deduction from the total funds that might be available for superior school plant facilities and instructional programs. In view of this situation it is highly desirable that all possible economies consistent with pupil safety be attained and practiced in the construction and operation of school buses.”

Section 33-1006, Idaho Code, sets forth the state reimbursement for school district transportation programs as a way to offset the financial burden on districts. All of the items contained herein were presented for consideration and voted on by the delegation team to accept or reject. Due consideration was given to each changed item in regard to the safety and wellbeing of Idaho’s students.

No changes were made based on the formal comments received. Small changes were made to the document based on informal feedback. These revisions included mostly typographical changes. Based on the limited feedback, the State Department of Education has decided to move forward into formal rulemaking.